

C. Remarks

Independent claim 8 is the sole claim pending in the subject application.

Reconsideration of this claim is respectfully requested.

Claim 8 stands rejected under 35 U.S.C. §103(a) as allegedly being obvious from U.S. Patent No. 6,713,201 B2 (Bullock) in view of U.S. Patent Application Publication No. 2003/0096144 A1 (Dunstan). This rejection is respectfully traversed.

Prior to addressing the merits of the rejection, Applicants would like to briefly discuss the features of the present invention. That invention, in pertinent part, relates to a fuel supply system for fuel cells, which comprises a fuel cell that generates power using fuel and oxygen and discharges water produced as a result of power generation, and a fuel supply apparatus for supplying fuel to the fuel cell. The fuel cell comprises a fuel cell supply unit into which fuel is supplied and a water discharging unit for discharging water, wherein access to the fuel supply unit and the water discharging unit is provided at the same face of the fuel cell. The fuel supply apparatus includes a mounting unit for mounting the fuel cell, a fuel supply unit for supplying fuel to the mounted fuel cell, and a water-suctioning unit for suctioning water produced inside the fuel cell. The fuel cell supply apparatus also includes a detector for detecting the presence of the fuel cell.

Bullock is directed to a replaceable fuel cell for use in a portable device. As acknowledged by the Examiner, Bullock does not disclose or suggest an evaporator for evaporating water suctioned by the bi-product reservoir. The Examiner cited Dunstan for a teaching of an evaporator. However, even assumed, *arguendo*, that Dunstan contains the alleged

teaching, neither Bullock nor Dunstan discloses or suggests a detector for detecting the presence of the fuel cell as recited in claim 8.

The Examiner has alleged that the absence of the fuel cell stack from the device in Bullock will necessarily be detected by the display and controller due to lack of power. As such, the Examiner appears to have alleged that Bullock discloses the detector for detecting the presence of the fuel cell. However, Applicants respectfully submit that even of the display and/or controller could be considered a detector, it is not a detector as presently claimed, i.e., a detector that is a part of the fuel supply apparatus.

The display and controller alluded to by the Examiner in the Office Action are clearly not a part of the fuel supply apparatus in Bullock. They are a part of the device to which the fuel is supplied, as can be seen, for example, in Bullock's Figs. 2 and 3. The advantage of placing the detector as claimed, as opposed to using the controlled or display to determine the presence or absence of the fuel cell, further demonstrates how the detector in the present invention is different from the alleged detection in Bullock.

Specifically, as mentioned above, the Examiner has alleged that the absence of the fuel cell stack from the device in Bullock will necessarily be detected by the display and controller due to lack of power. However, the lack of power supplied to the controller or the display may or may not even indicate that the fuel cell is absent, since an empty fuel cell will produce the same "no power" result. Power may also not be generated for a variety of other reasons unrelated to the absence of the fuel cell.

To the contrary, the detector used as a part of the fuel supply apparatus can definitively indicate whether the fuel cell is present, irrespective of the actual fuel amount.

Accordingly, it is respectfully submitted that Bullock, whether considered alone or in combination with Dunstan, fails to render the presently claimed invention unpatentable.

Wherefore, withdrawal of the outstanding rejection and passage of the subject application to issue are respectfully requested.

Applicants' undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

/Jason M. Okun/
Jason M. Okun
Attorney for Applicants
Registration No.: 48,512

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

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